

## ORDINANCE \_\_\_\_\_

AN ORDINANCE relating to community development in the Central Area; transferring jurisdiction of land at 20th Ave. South and South Jackson, known as parcel 47 of the Yesler/Atlantic Neighborhood Improvement Project, from the Office of Housing to the Department of Fleets and Facilities; making a related cash transfer from the Emergency Subfund to the Community Development Block Grant Main Fund; amending the 2005 Table of Proposed Projects to the 2005-2008 Consolidated Plan for Housing and Community Development to allocate increased funding resulting from such transfer; increasing appropriations to the Office of Economic Development in the 2005 Budget; and ratifying and confirming prior acts, all by three-quarters vote of the City Council.

WHEREAS, in furtherance of the objectives of the Urban Renewal Act, the City of Seattle undertook programs for the clearance and reconstruction or rehabilitation of slums and blighted areas in the City, which programs included a project known as the Yesler/Atlantic Neighborhood Improvement Project (the "Project"); and

WHEREAS, by Ordinance 119440 passed April 19, 1999, property located at 20<sup>th</sup> Ave. South and South Jackson, known as Yesler-Atlantic Parcel 47 and referred to in this ordinance as the "Property," was placed under the administration of Seattle's Office of Housing, along with other property; and

WHEREAS, transfer of jurisdiction from the Office of Housing to the Fleets and Facilities Department will facilitate disposition and redevelopment of the Property; and

WHEREAS, pursuant to the terms of the closeout agreement for the Project dated January 11, 1977 and the terms of Ordinance 106797 passed September 26, 1977, proceeds of disposition of Yesler-Atlantic parcels were to be deposited in a subaccount of the fund used for federal Community Development Block Grant ("CDBG") money received by the City and treated as CDBG program income; and

WHEREAS, the federal Department of Housing and Urban Development ("HUD") has provided written confirmation that the transfer of jurisdiction of the Property and deposit of \$816,000 in City funds into the City's CDBG Fund, to be spent in accordance with CDBG regulations, may be treated by the City as the final disposition of that Property for purposes of the closeout agreement; and

WHEREAS, consistent with closeout agreement, the written confirmation from HUD and HUD regulations, the 2005 Table of Proposed Projects in the City's Consolidated Plan needs to be revised to show the use of the increased funding available for CDBG-eligible activities related to these parcels; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Jurisdiction of and responsibility for the land located at 20<sup>th</sup> Ave. South and South Jackson, legally described as follows:

Lot 26, 27, and 28, EXCEPT the south 56 feet thereof; and Lots 14 through 25, inclusive, Block 22, Hill Tract Addition to the City of Seattle, according to plat thereof recorded in Volume 8 of Plats, page 42, in King County, Washington

(the “Property”), is hereby transferred from the Office of Housing to the Fleets and Facilities Department. The Fleets and Facilities Department is hereby vested with all powers and duties respecting the Property previously vested in the Office of Housing, and is assigned such community renewal project powers under RCW chapter 35.81 as are reasonably necessary to prepare the Property for disposition and redevelopment, and to identify a proposed redeveloper and arrange proposed disposition terms. Any contract for sale or other disposition shall require approval by ordinance. Pending a sale or other disposition, the Fleets and Facilities Department may authorize short-term uses of all or part of the Property, for periods not to exceed six months unless terminable by the City in its discretion on no more than 30 days’ notice. Any revenues derived from the Property after the transfer of funds referred to in Section 2 shall be deposited in the Emergency Subfund, anything in Ordinance 106797 to the contrary notwithstanding.

Section 2. In order to support the actions associated with the transfer of jurisdiction authorized in Section 1 above and to comply with the HUD closeout agreement associated with this property, the appropriation for the following in the 2005 Budget is increased from the fund shown as follows:

<b>Fund</b>	<b>Department</b>	<b>Budget Control Level</b>	<b>Amount</b>
CDBG Main Fund (17810)	Office of Economic Development	Office of Economic Development (6XD10)	\$816,000

to be supported by the associated cash transfer authorized in Section 3 below. In accordance with RCW 35.32A.060, the foregoing appropriation is made to meet actual necessary expenditures of the City for which insufficient appropriation has been made due to causes that could not reasonably have been foreseen at the time of the making of the 2005 Budget.

Section 3. To support the appropriation made in Section 2 above, cash is hereby transferred as shown in the following table:

<b>Fund</b>	<b>Amount Transferred</b>
CDBG Main Fund (17810)	\$816,000 transferred in
Emergency Subfund of the General Fund (00185)	\$816,000 transferred out

The City Council intends that the Emergency Subfund shall be used as an interim funding source until other or permanent funding or financing is obtained.

Section 4. The 2005 Table of Proposed Projects in the 2005-2008 Consolidated Plan for Housing and Community Development, originally adopted by Ordinance 121625, is amended to

1 include a project description of the Central Area Capital Fund as shown in Exhibit A to this  
2 ordinance. The Director of Human Services Department is authorized to make any conforming  
3 changes that may be necessary to the 2005 Table of Proposed Projects and other portions of the  
4 current Consolidated Plan to reflect the changes adopted in this ordinance.

5  
6 Section 5. Any act pursuant to the authority and prior to the effective date of this  
7 ordinance is hereby ratified and confirmed.

8 Section 6. This ordinance shall take effect and be in force thirty (30) days from and after  
9 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
10 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

11  
12 Passed by a three-fourths vote of all the members of the City Council the \_\_\_\_ day of  
13 \_\_\_\_\_, 2005, and signed by me in open session in authentication of its passage this \_\_\_\_  
14 day of \_\_\_\_\_, 2005.

15  
16 \_\_\_\_\_  
17 President \_\_\_\_\_ of the City Council

18 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2005.

19  
20 \_\_\_\_\_  
21 Gregory J. Nickels, Mayor

22 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2005.

23  
24 \_\_\_\_\_  
25 City Clerk

26 (Seal)

27 Exhibit A: Addition of the description of the Central Area Capital Fund project to the 2005 Table  
28 of Proposed Projects of the 2005 Consolidated Plan for Housing and Community Development.